

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Ana Velasco Iglesias

Group Art Unit: 1656

Serial No.: 10/540,092

Examiner: Hope Robinson

Filed: September 22, 2005

Confirmation: 7526

For: The Gene Cluster Involved in Safracin Biosynthesis and Its Uses for Genetic Engineering

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1.  For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed;
  
2.  For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
  
3.  Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
  
4.  No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:  
 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or

- 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
- 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
- 37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.

5.  No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.

6.  A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

- A check in the amount of \$180.00 is enclosed in payment of the fee.
- Charge the fee to Deposit Account No. 50-3732, Order No. 13566.105008. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

7.  A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.

8.  This Information Disclosure Statement is being filed in compliance with:

- a.  37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
- b.  37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).

c.  The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.

9.  I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10.  This document is accompanied by  a Search Report  Communication which was cited in a corresponding  PCT or  Foreign counterpart application.

11.  A check in the amount of \$ \_\_\_\_\_ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).

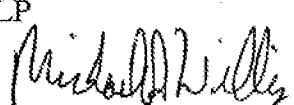
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The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-3732, Order No. 13566.105008. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
KING & SPALDING LLP

Dated: September 13, 2007

By:

  
\_\_\_\_\_  
Kenneth H. Sonnenfeld / Michael A. Willis  
Registration No. 33.285 / 53.913

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br>( Not for submission under 37 CFR 1.99) | Application Number     |  | 10540092             |  |
|   | Filing Date            |  | 2005-09-22           |  |
|   | First Named Inventor   |  | Ana Velasco Iglesias |  |
|   | Art Unit               |  | 1656                 |  |
|   | Examiner Name          |  | Hope Robinson        |  |
|   | Attorney Docket Number |  | 13566.105008         |  |

| U.S. PATENTS      |         |               |                        |            |   |  |
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| Examiner Initial* | Cite No | Patent Number | Kind Code <sup>1</sup> | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
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**U.S. PATENT APPLICATION PUBLICATIONS**

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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>( Not for submission under 37 CFR 1.99)</i> | Application Number     | 10540092             |
|  | Filing Date            | 2005-09-22           |
|  | First Named Inventor   | Ana Velasco Iglesias |
|  | Art Unit               | 1666                 |
|  | Examiner Name          | Hope Robinson        |
|  | Attorney Docket Number | 13566.105008         |

|   |   |                          |
|---|---|--------------------------|
| 1 | Tang et al., "Engineered Biosynthesis of Regioselectively Modified Aromatic Polyketides Using Bimodular Polyketide Synthases," PLOS Biology, Volume 2, Issue 2, pages 227-238, February 2004. | <input type="checkbox"/> |
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#### EXAMINER SIGNATURE

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<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.